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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,197	02/14/2001	James McSherry	W0008/7000	6059
21127	7590	10/13/2005	EXAMINER	
KUDIRKA & JOBSE, LLP ONE STATE STREET SUITE 800 BOSTON, MA 02109			JARRETT, SCOTT L	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 10/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Requirement for Information – USC § 1.105

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

On August 8, 2005 Mr. James McSherry, accompanied by Mr. Michael Naclerio and Mr. Paul Kadirka (Reg. No. 26,931), presented an overview Workplace Helpline LLC's current Helpline market offering (product/service) and provided an overview of the company's nearly 10 years of market success (e.g. company/product's sales, clients). During the interview, as noted in the interview summary dated August 8, 2005, applicant and applicant's representative agreed to provide additional information regarding the Helpline product, the subject of the instant application, including: the product's public availability and/or sale (e.g. product roadmap, listing of product versions, features and availability dates, etc.) and a copy of the PowerPoint presentation all supporting materials (research, reports, etc.) presented during the interview.

Applicant's representative further stated their intent to submit the requested information as well as a supplemental amendment based on the discussions had during the interview prior to the examiner's examination of the RCE filed August 5, 2005. Examiner has not received the requested information or the supplemental amendment; therefore examiner requests that the previously requested information be provided in response to this requirement.

EA

The information is required to identify products and services embodying the disclosed subject matter of providing workplace services/resources and identify the properties of similar products and services found in the prior art.

In response to this requirement, please state whether any search of prior art was performed. If a search was performed, please state the citation for each prior art collection searched. If any art retrieved from the search was considered relevant to demonstrating the knowledge of a person having ordinary skill in the art to the disclosed providing workplace services/resources, please provide the citation for each piece of art considered and a copy of the art.

In response to this requirement, please provide the names of any products or services that have incorporated the claimed subject matter of providing workplace services/resources, specifically including information on when specific product features/capabilities were available and/or in use.

In response to this requirement, please provide the citation and a copy of each publication, which any of the applicants authored or co-authored and which describe the disclosed subject matter of providing workplace services/resources.

In response to this requirement, please provide the citation and a copy of each publication that any of the applicants relied upon to develop the disclosed subject matter

that describes the applicant's invention, particularly providing workplace services/resources.

For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.

In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement.

Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or

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cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of 1 month. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

The period for reply is ordinarily set for 2 months.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SJ

10/4/2005



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